

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ZINO DAVIDOFF SA,

Plaintiff,

v.

SELECTIVE DISTRIBUTION INTERNATIONAL
INC.,

Defendant and Third-Party Complainant,

v.

DIAMOND GROUP, INC.,

Third-Party Defendant.

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DATE FILED: MAR 24 2008**

07 Civ. 10326 (PAC)

**CIVIL CASE MANAGEMENT
PLAN AND SCHEDULING ORDER**

Pursuant to this Court's Order of March 13, 2008, Plaintiff Zino Davidoff SA ("Zino Davidoff"), Defendant and Third-Party Complainant Selective Distribution International Inc. ("Selective") and Third-Party Defendant Diamond Group, Inc. ("Diamond Group") in the above-captioned action, through their undersigned counsel, submit this revised joint proposed Civil Case Management Plan and Scheduling Order.

1. The parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial.
2. Selective has requested a jury trial.
3. Amended pleadings may not be filed and additional parties may not be joined except with leave of the Court. Due to the possibility that subsequent alleged suppliers of the alleged counterfeit and decoded fragrance products at issue may be discovered, the parties respectfully request that the parties have 45 days from the date of this Order to join additional parties without leave of the Court. Absent exceptional circumstances, such as newly discovered evidence, any motion to amend or to join additional parties shall be filed within 45 days from the date of this Order.
4. Initial disclosure for the plaintiff and defendant pursuant to Rules 26(a)(1), Fed. R. Civ. P., shall be completed not later than 21 days from the date of this Order.

5. All fact discovery shall be completed no later than October 1, 2008.
6. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the written consent of all parties without application to the Court, provided all fact discovery is completed by the date set forth in paragraph 5 above:
 - a. Initial requests for production of documents to be served by July 3, 2008.
 - b. Interrogatories to be served by August 15, 2008.
 - c. Depositions to be completed by September 26, 2008.
 - d. Requests to Admit to be served no later than September 9, 2008.
7.
 - a. All expert discovery shall be completed no later than November 10, 2008.
 - b. No later than thirty (30) days prior to the date in paragraph 5, i.e. the completion of all fact discovery, the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that (i) plaintiff's expert report(s) shall be due before those of defendant's expert(s); and (ii) all expert discovery shall be completed by the date set forth in paragraph 7(a).
8. All motions and applications shall be governed by the Court's Individual Practices, including pre-motion conference requirements.
9. All counsel must meet face-to-face for at least one hour to discuss settlement within fourteen (14) days following the close of fact discovery.
10.
 - a. Counsel for the parties have discussed an informal exchange of information in aid of an early settlement of this case. Selective has provided certain information regarding its purchases and sales of DAVIDOFF fragrances and its sources. Diamond Group has agreed to provide certain information related to its purchase and sale of DAVIDOFF fragrances and its sources.
 - b. Pursuant to this Court's Order dated January 15, 2008, this case was referred to Magistrate Judge Michael H. Dolinger for a settlement conference. The parties are currently engaged in settlement discussions. Selective has stated that it agrees not to sell any of Zino Davidoff's products in the future. Diamond Group has stated that it agrees, during the pendency of this action, not to sell any of Zino Davidoff's products that are not purchased directly from Coty Prestige US LLC.

c. Any on-going settlement discussions and/or conferences before Magistrate Judge Michael H. Dolinger do not stay or modify any date in this Order.

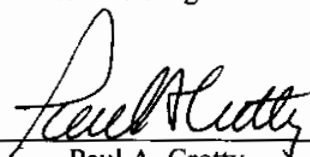
11. The Final Pretrial Submission Date is thirty (30) days following the close of fact and expert discovery (whichever is later). By the Final Pretrial Submission Date, the parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practices and Rule 26(a)(3), Fed. R. Civ. P. Any motions in limine (for which the pre-motion conference requirement is waived) shall be filed by the Final Pretrial Submission Date. Proposed voir dire, jury instructions and verdict form shall also be filed by the Final Pretrial Submission Date. Counsel are required to meet and confer on a joint submission of proposed jury instructions and verdict form, noting any points of disagreement in the submission. Jury instructions may not be submitted after the Final Pretrial Submission Date, unless they meet the standard of Rule 51(a)(2)(A), Fed. R. Civ. P.
12. Counsel for the parties have conferred and their present best estimate of the length of trial is: five (5) days.
- 13.

Civil Case Management Plan Requirement	
Motion to amend or to join additional parties to be filed no later than, except as set forth in Paragraph 3 above:	45 days from the date of this Order
Initial Disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P. to be served no later than:	April 17, 2008
All fact discovery to be completed no later than:	October 1, 2008
Discovery – initial requests for production of documents to be served no later than:	July 3, 2008
Discovery – interrogatories to be served no later than:	August 15, 2008
Discovery – depositions to be completed no later than:	October 1, 2008
Discovery – requests to admit to be served no later than:	September 15, 2008
All expert discovery to be completed no later than:	November 10, 2008
Parties to meet to confer on scheduled for expert disclosures no later than:	August 15, 2008
All counsel to meet face-to-face to discuss settlement no later than:	October 20, 2008

TO BE COMPLETED BY THE COURT

14. The next Case Management is scheduled for Wednesday, July 9, 2008 at 2:45 pm
in Courtroom 20-C.

This ORDER may not be modified or the date herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend shall be made in a written application in accordance with paragraph 1(E) of the Court's Individual Practices and shall be made no less than two (2) days prior to the expiration of the date sought to be extended.


Paul A. Crotty
United States District Judge

Dated: New York, New York
March 24, 2008